

February 16, 2014

Judiciary Committee

Thank you for your letter dated 2-10-2016. I understand it will be difficult to make accommodations for me. So this letter will be my record on the public hearings. Please read this into your minutes and write me with the outcome.

Public Hearing

My name is Joseph Michael Carilli I am an inmate at Garner Correctional Institution 50 Nunnawauk Road Newtown Connecticut 06470. My inmate number is 133683.

On January 22, 2014 inmate L. Betancourt began to assault me. This is a fact as is the incidents on January 27, 2014, January 29, 2014 and February 13, 2014 all are on tape which the department of Corrections has, if needed you can request the video's to view your self.

I alerted a Corrections Officer upon the first assault. Then I wrote my counselor and Lieutenant flowers to have the assaults stop. I also wrote to Deputy Warden Jones on January 22, 2014 which again is fact and she wrote she had my request.

The incident on January 29, 2014 was by far the worst as I sustained a permanent injury to my left eye.

Even after removing Inmate Betancourt to segregation when his time was completed, DOC placed him in my cell block at which time

ON February 13, 2014 he once again assaulted me.

Now for the legal part.

Was this cruel and unusual punishment?

Yes under the 8th amendment I should have been protected from the assaults

Was this Deliberate Indifference?

1st Defined DOC knows that an inmate Faces a substantial risk of serious harm and the DOC disregards this risk by failing to take reasonable measures to abate it

So Yes my case meets this standard, DOC knew I was being assaulted and failed to protect me.

Were the Correction Officers Under color of state law?

Yes

IS this a just claim as referred to in CGS § 53-4-141?

Yes as my equal Justice was deprived

Yes the suit is authorized by law

Is this a claim in which a private person could be liable?

Yes again it meet CGS § 53-4(159c)

Yes presents issues of law or fact CGS § 53-4(160)

IN Farmer v Brennan 511 U.S. 825, 847 (1994) ... prison

officials knew but failed to respond .. a permanent injury occurred

IN Wilson v Seiter 501 U.S. 294, 297 (1991) ... specific deprivation of single human need, i.e., safety.

MY Position statement

This is a formal complaint regarding negligence and Deliberate Indifference by Correction Officers and Supervisors of Connecticut Department of Corrections, with results of assaults upon myself by Inmate Betancourt.

The facts will show on many occasions I notified DOC staff by verbal and written means about ongoing assaults to myself. The DOC employees failed to provide dual diligence to create a safe environment.

There was reckless behavior, callous neglect and thoughtless disregard by DOC employees resulting in flagrant and remarkable failure to protect me. The DOC employees took no or wholly inadequate action in the face of actual knowledge of the risk to myself. DOC employees action was more then inadvertence, lack of due care.

I have provided you with these 3 pages and you have access to the video and other papers I filed.

It is very clear in law and as Prima Facie the state of Connecticut is responsible for the injury and should compensate myself and provide medical care of my eye for life.

Thank you please send me a copy of your minutes from the public hearing and your decision

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Joseph Michael Carilli